

## REMARKS

Applicant appreciates the Examiner's indication that dependent Claims 2-5, 7-10 and 12-15 contain allowable subject and would be allowed if amended to include the subject matter of their associated base claims. However, for the reasons set forth below, Applicant believes that amended independent Claims 1, 6 and 11 are allowable without adding the allowable subject matter of these dependent claims. Accordingly, Applicant has opted not to add the allowable subject matter of dependent Claims 2-5, 7-10 and 12-15 to their associated independent claims at this time.

The drawings stand objected to because of a mismatch between one of the figure numbers and a description on page 22 of the specification. Applicant has amended the specification to refer to the correct figure. Accordingly, withdrawal of this objection is respectfully requested.

Claims 1, 6 and 11 stand rejected under 35 U.S.C. § 103 as being unpatentable over JP 2001-110027 in view of JP 10-083640. Applicant respectfully traverses this rejection.

The present invention of amended Claims 1, 6 and 11 is characterized in that a pattern simultaneously having pieces of phase information of two or more different frequencies is recorded in a medium, and that a position signal of the head is determined by reproducing these pieces of phase information, phase-demodulating the two or more different frequencies, and adding the position signal resulting from the demodulation at a certain ratio.

In contrast, JP2001-110027 discloses a method of combining an amplitude pattern and a phase pattern, and making up, in amplitude demodulation, the portion in which the position signal becomes non-linear through phase demodulation. The method of JP2001-110027 has no phase information of two or more different frequencies.

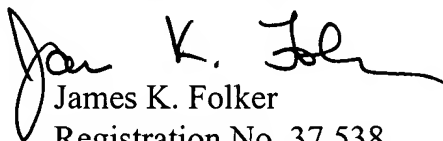
With regard to JP10-08364, the method of this reference comprises recording curved servo patterns for phase modulation in a medium, but has no phase information of two or more different frequencies.

Thus, the inventions of JP2001-110027 and JP10-083640 are quite different from the present invention, and even the combination of these references does not form the present invention. Accordingly, withdrawal of this § 103 rejection of independent Claims 1, 6 and 11 is respectfully requested.

For all of the above reasons, Applicant requests reconsideration and allowance of the claimed invention. Should the Examiner be of the opinion that a telephone conference would aid in the prosecution of the application, or that outstanding issues exist, the Examiner is invited to contact the undersigned.

Respectfully submitted,

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